

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LUIS MOTOLA-PALACO,

Defendant.

**4:15CR3087**

**ORDER**

Defendant has moved to continue his change of plea hearing, (Filing No. 25), and the pretrial motion deadline, (Filing No. 26), because the defendant has new counsel who needs additional time review this case and confer with the defendant before deciding how to proceed and if pretrial motions should be filed. The motions are unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motions to continue, (Filing Nos. 25 & 26), are granted.
- 2) Pretrial motions and briefs shall be filed on or before February 5, 2016.
- 3) Defendant's change of plea hearing is cancelled.
- 4) The ends of justice served by granting the motion to continue the pretrial motion deadline outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and February 5, 2016, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because despite counsel's due diligence, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

January 5, 2016.

BY THE COURT:  
s/ Cheryl R. Zwart  
United States Magistrate Judge